

SECTION 00300

PROPOSAL FORM

**PROPOSAL TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE
FOR THE
CIVIC AUDITORIUM PHASE 2 PROJECT**

Name of Bidder: CAL-PACIFIC CONSTRUCTION INC.

The representations herein are made under penalty of perjury.

To: The Redevelopment Agency of the City of San Jose
200 East Santa Clara Street, 14th Floor Tower
San Jose, California 95113

The undersigned, as bidder, declares that the only person or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm or corporation; that the bidder has thoroughly read and examined and has full knowledge of and understands all the provisions and contents of this proposal and the documents which must be attached hereto, the Plans and Specifications approved by the Agency's Director of Project Management on **November 16, 2009**, entitled "San Jose Civic Auditorium Phase 2" on file in the office of the Director of Project Management of the Redevelopment Agency of the City of San Jose, 200 East Santa Clara Street, 14th Floor Tower, San Jose, California 95113, that the bidder has thoroughly examined said Plans and Specifications which are on file in the office of the Agency's Director of Project Management, and that the bidder has full knowledge of and understands said Plans and Specifications and the requirements thereof; and that the bidder has further read and understands, and has knowledge of the contents of any and all addenda to said Plans and Specifications on file; and that the bidder proposes and agrees, if this proposal is accepted, that the bidder will contract with the Redevelopment Agency of the City of San Jose, in the form of the copy of the contract on file in the office of the Agency's Director of Project Management, to do all the work and furnish all materials specified or referred to in the contract, in the manner and time therein prescribed, and according to the requirements of the City and Agency as therein set forth, to furnish the contract, bonds and insurance specified in the Specifications and Bid Documents, and to do all other things required of the Contractor by the contract.

If the bidder or other interested persons is a corporation, state legal name of corporation, also names of the President, Secretary, Treasurer, and the Manager thereof; if a partnership, state the name of the partnership, if one exists, also the names

of all the partners comprising the partnership; if any of the partners are individuals, state the first and last name of every individual in full, if any of the partners are corporations, state for each such corporation, the information required above of corporations; if any of the partners are partnerships, state for each such corporation, the information required above of partners; if the bidder or other interested person is a joint-venture, state the name of the joint venture, also names of all joint venturers comprising the joint venture; if any of the joint venturers are individuals, state the first and last name of every individual comprising the joint venture; if any of the joint venturers are corporations, state for each corporation the information required above of corporations; if any of the joint venturers are partnerships, state for each such partnership the information required above of partners; if bidder or other interested persons is an individual, state first and last names in full.

If bidder is an individual, the bidder's signature shall be placed below; if bidder is an individual, doing business under a fictitious name, the name of the individual followed by the words "doing business as (insert fictitious name)" shall be set forth above, together with the signature of the individual; if bidder is a corporation, the legal name of the corporation shall be set forth above, together with the signature of the officer or officers of the corporation, authorized to sign contracts on behalf of the corporation, the corporate title; that is Vice-President, Secretary, etc., should be placed below the name of the officer and the corporate seal affixed; if bidder is a partnership, the legal name of the partnership, if one exists, shall be set forth above, together with the signature of the partner or partners authorized to sign contracts on behalf of the partnership; if any of the partners are corporations, execution for such partners shall be accomplished in accordance with the requirements set forth above for corporations; if any of the partners are partnerships, execution for such partners shall be accomplished in accordance with the requirements set forth above for partnership; if bidder is a joint-venture, the legal name of the joint venture, if one exists, shall be set forth above for partnerships. If signature is by an agent other than an officer of a corporation, or member of a partnership or a joint venture, a Power of Attorney must be on file with the Agency prior to opening bids or submitted with the bid; otherwise, the bid may, at the Agency's option, be disregarded as non-responsive.

BASE BID AMOUNT

A. Base Bid

Lump sum price for the furnishing of all labor, materials, services, equipment, fringe benefits, taxes, insurance, overhead and profit and any other costs or expenses necessary to perform:

Three million four hundred sixty three thousand
(\$ 3,463,000) DOLLARS

BID ALTERNATES

The following prices shall determine the cost or credit resulting from inclusion or exclusion in the work and shall include all labor, materials, services, equipment, fringe benefits, taxes, insurance, permit costs, overhead, profit and other costs or expenses necessary to perform the required work. The Agency reserves the right to accept or reject any or all alternates which it determines are in the best interest of the Project.

Alternate No. 1 - Described in Specification Sections 01 2300

Four hundred fifty one thousand DOLLARS
(\$ 451,000) (Additive) (deductive (circle one))

Alternate No. 2 - Described in Specification Sections 01 2300

Two hundred ~~ninety~~ seven thousand (\$297,000) DOLLARS
(Additive/Deductive (circle one))

Alternate No. 3 – Described in Specification Sections 01 2300

Two hundred ninety three thousand (\$293,000) DOLLARS
 (Additive/Deductive (circle one))

Alternate No. 4 – Described in Specification Sections 01 2300

Thirty eight thousand (\$ 38,000 -) DOLLARS
Additive/Deductive (circle one)

B. The above base bid includes all addenda issued by the Agency, which include the following:

[illegible]

If any addendum issued by the Agency is not noted above by the bidder, this bid proposal may be rejected.

AWARD OF CONTRACT

- A. Basis for Award: The lowest bid shall be determined on the basis of the Base Bid, without consideration of additive or deductive alternates, if any.
1. The award of the contract, if it is to be awarded, will be to the lowest responsive and responsible bidder. The award, if made, is expected to be made on or about **February 2, 2010**.
 2. The Owner-Contractor Agreement shall be signed by the successful bidder and returned, together with the labor compliance documentation, contract bonds and insurance, within eight (8) calendar days, not including Sundays and legal holidays, after the bidder has received notice by certified mail with return receipt requested, or by hand delivery that the contract has been awarded. Any delay caused by the successful bidder in the delivery of the Owner-Contractor Agreement executed by the Contractor, labor compliance documentation, bonds and insurance within eight (8) calendar days shall not be cause for extension of the Completion Date.
 3. Successful bidder shall file at least the minimum insurance requirements as outlined in Article 11 of the General Conditions.
 4. If the successful bidder refuses or fails to execute the Owner-Contractor Agreement and provide the required labor compliance documentation, bonds and insurance policies and certificates, the Agency may award the contract to the second lowest responsible bidder. If the second lowest responsible bidder refuses or fails to execute the contract and provide the required labor compliance documentation, bonds and insurance policies and certificates, such bidder's bid security shall be forfeited to the Agency and the Agency may award the contract to the third lowest responsible bidder. On failure or refusal of the third lowest responsible bidder to whom any such contract is so awarded, to execute the same and provide the required labor compliance documentation, bonds and insurance policies and certificates, such bidder's bid security shall be likewise forfeited to the Agency. The Agency may at any time re-advertise for bids, or may provide that the work shall be done by the Agency's employees to the extent that such may be authorized by law.
 5. If the successful bidder fails to execute the contract or fails to provide satisfactory evidence of compliance with Article 6 of the Instructions to Bidders within the time specified in the Invitation For Bids or in the

specifications referred to therein, the amount of the security may be declared forfeited to the Agency and all bonds so forfeited may be prosecuted.

- B. It is understood that the Agency reserves the right to reject this bid but that it shall remain irrevocable and may not be withdrawn for a period of ninety (90) calendar days from the date prescribed for its opening.
- C. If written acceptance is mailed or delivered to the undersigned before bid is withdrawn by written notification to Agency, undersigned will execute and deliver a contract to Agency in accordance with this bid as accepted.

TIME OF COMPLETION

- A. The Work under the Contract shall proceed pursuant to and in accordance with a written notice from Owner to Contractor to proceed ("Notice to Proceed"). It is anticipated that the Notice to Proceed will be issued on or about **February 15, 2010**. Contractor shall diligently commence performance of the Work on the date specified in the Notice to Proceed. Contractor shall complete performance of the entire Work (as defined in Article 8 of the General Conditions) on or before November 5, 2010. The contractor's attention is drawn to interim milestone No. 1 for access to the Montgomery Theatre to begin construction and installation of the elevator and related work, which work shall begin no sooner than August 9, 2010 and be completed on or before November 5, 2010 ("Scheduled Completion Date").
- B.
 - 1. Contractor shall begin Work in accordance with the Notice to Proceed, and shall diligently prosecute the Contract to completion within the time limits specified.
 - 2. Should Contractor begin work in advance of receiving notice that Contract has been approved by the Agency, any work performed by Contractor in advance of date of approval shall be considered as having been done by Contractor at Contractor's own risk.

IDENTIFICATION

- A. Notice of acceptance, or request for additional information, may be addressed to the undersigned at the address set forth below.
1009 TERRA NOVA BLVD. PACIFICA, CA 94044
- B. The names of all persons interested in the foregoing bid as principals are:
CAL-PACIFIC CONSTRUCTION INC. INCORPORATED IN
CALIFORNIA. JOHN WAH CHAN - PRESIDENT
KENNEDY CHAN - GENERAL MANAGER

Important Notice: If a corporation, give legal name of corporation, state where incorporated, and names of president and secretary; if a partnership, give name of firm and names of all individual co-partners composing the firm; if an individual, give first and last names in full.

- C. Contractor's License: Contractor is licensed in accordance with an act for registration of contractors with the following Contractor's License number issued by the California Contractor's State License Board:

A, B, C-7, C10, C36
Class C16, C33 License No. 830908
Expiration Date JANUARY 31, 2012

- D. Certification and Registration:

- a. Contractor possesses:

- (1) asbestos certification issued by the California Contractor's State License Board for the purpose of performance of asbestos-related work:

Certification Receipt No.: _____; and

- (2) asbestos registration issued by the Division of Occupational Safety and Health of the California Department of Industrial Relations:

No.: _____

Expiration Date: _____

OR

- b. Contractor's subcontractor SYNERGY ENTERPRISES
INC. _____ possesses the following:
(name of subcontractor)

- (1) contractor's license issued by the California Contractor's State License Board in accordance with an act for registration of contractors:

A, C-2, C10, C17
Class C20&ASB License No.: 804759
Expiration Date: 2/28/2010 _____; and

- (2) asbestos certification issued by the California Contractor's State License Board for the purpose of performance of asbestos-related work:

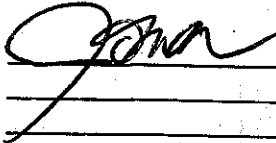
Certification Receipt No.: 868; and

- (3) asbestos registration issued by the Division of Occupational Safety and Health of the California Department of Industrial Relations:

No.: 868

Expiration Date: SEPTEMBER 10, 2010

- E. Signature of person(s) with legal authority to sign contracts:



- F. Business Address:

1009 TERRA NOVA BLVD.
PACIFICA, CA 94044

SUPPLEMENTS TO PROPOSAL FORM

In addition to all information required in the Instructions to Bidders, accompanying this Proposal Form are the following documents completely filled in by the bidder and hereby made a part hereof:

- A. Bidder's Bond or other Bid security (Section 00400).
- B. Statement of Qualifications and Experience of Bidder (Section 00410).
- C. List of Subcontractors (Section 00420).
- D. Affidavit of Financial Statement and Noncollusion (Section 00430).

In addition, Bidder has received the following, to be completed and returned with Contract following award:

Contractor's Performance Bond (Section 00510)

Labor and Payment Material Bond (Section 00511)

Labor Compliance Documentation (Section 00512).

If this bid proposal shall be accepted and the undersigned shall fail to contract, and to give the labor compliance documentation, Contractor's Performance Bond and the

Contractor's Labor and Material Payment Bond required by the specifications and contract and by law, and to provide all insurance as required by said contract, within eight (8) days after the bidder has received notice from the Redevelopment Agency of the City of San Jose, the Agency may, at its option, determine that the bidder has abandoned his/her contract, and thereupon this bid and the acceptance thereof shall be null and void, and the forfeiture of such security accompanying this bid shall operate and the same shall be the property of the Redevelopment Agency of the City of San Jose.

In accordance with Public Contract Code Section 10232, the Contractor hereby states under penalty of perjury, that no more than one final unappealable finding on contempt of court by a federal court has been issued against the Contractor within the immediately preceding two year period because of the Contractor's failure to comply with an order of a federal court which orders the Contractor to comply with an order of the National Labor Relations Board. Signing this Proposal on the signature portion thereof shall constitute signature of this Statement.

Accompanying this bid are the following documents completely filled in by the bidder and the same are incorporated herein by reference;

1. A cashier's check or a certified check made payable to the Redevelopment Agency of the City of San Jose, or a bidder's bond executed by an admitted surety insurer naming the Agency as beneficiary, in an amount equal to at least ten percent (10%) of the total base bid.
2. A list of subcontractors for work over one half of one percent, if any, the address of each subcontractor, and the description of work to be done by each subcontractor.
3. A statement of qualifications and experience of bidder.
4. Executed Affidavit of Financial Statement and Noncollusion

The Agency may, at its option, request additional supplemental information after bid opening.

Bidder understands that the Redevelopment Agency of the City of San Jose reserves the right to reject any or all bids and to waive any informality in the bidding.

The undersigned, as bidder, declares that in listing subcontractors in this bid, I have not discriminated or given any preference to any firm based on race, sex, color, age, religion, sexual orientation, disability, ethnicity, or national origin. I understand that any such discrimination or preference is in violation of Chapter 4.08 of the Municipal Code.

The undersigned declares under penalty of perjury that the information contained in this bid and all accompanying documents are true and correct.

Executed on JANUARY 5 , 2010

CAL-PACIFIC CONSTRUCTION INC.
Legal Company Name

CORPORATION

Indicate Type of Entity: Sole Proprietorship,
Partnership (General/Limited Partners),
Corporation, Joint Venture, etc.

By: 

Title: PRESIDENT

City Business License No.: _____

Expiration Date: _____

State Contractor Lic. No.: 830908

Classification A, B, C-7, C10, C16, C33 & C36.

Expiration Date: JANUARY 31, 2010

Federal I.D. No.: 41-2180965

Address 1009 TERRA NOVA BLVD.
PACIFICA, CA 94044

Telephone: (650) 557-1238

(Note: City Business License not required in order to submit proposal.)

ACKNOWLEDGEMENT

State of California

County of San Mateo

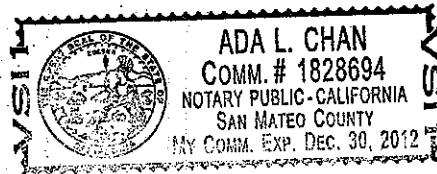
On 12/30/09 before me, Ada Chan
(insert name and title of officer)

Personally appeared John Chan
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
Paragraph is true and correct.

WITNESS my hand and official seal

Signature Ada Chan (Seal)



END OF SECTION 00300

John Chan

SECTION 00410

STATEMENT OF QUALIFICATIONS AND EXPERIENCE OF BIDDER

The bidder is required to state below, and on additional pages as necessary, the bidder's experience on similar work performed with a list of references that will enable the Owner to judge bidder's qualifications, experience, skill.

SEE ATTACHMENT "A" COMPLETED PROJECTS

CAL-PACIFIC CONSTRUCTION INC.
(Legal Company Name)

Date: JANUARY 5, 2010

By: 

(signature)

Printed Name: JOHN WAH CHAN

Title: PRESIDENT

END OF SECTION 00410

Attachment A



CAL PACIFIC
CONSTRUCTION INC. (CIC) # 830903

PACIFIC

Completed Projects

Job Name and Owner	Contract Person and Phone #	Job Description and Year	Original Contract Price	Completion Date
Davidson Middle School/Gallinas Elementary School Turner Construction	Richard Lam 408-595-2983	Rough Carpentry work including all structural wood framing and sheeting	\$1,101,874.00	Aug-05
Walters Junior High School Fremont Unified School District	Javier Castruita 510-979-7700	Science lab conversion: Bldg 1-convert existing wood shop into a vocational shop with 2 instruction areas. Bldg 4-convert 3 existing classrooms into 3 science classrooms & 1 science faculty room. Bldg 5 - convert 2 existing classroom & 1 existing office into 2 science classroom. Siteworks, utilities, electrical, plumbing, casework, ect.	\$1,146,313.00	Jun-03
Marin Elementary School Albany Unified School District	Steve Diaz 510-407-9656	General Construction Scope of work including concrete metals rough, framing, drywall, plaster, roofing, millwork casework, finish, carpentry, doors, frames, hardware, glazing, acoustical ceiling, flooring, painting work, ect.	\$1,335,639.00	Jan-05
Oceanview Elementary School Albany Unified School District	Steve Diaz 510-407-9656	General Construction scope of work including concrete metals, rough framing, drywall, plaster, roofing, millwork casework, finish carpentry, doors, frames, hardware, glazing, acoustical ceiling, flooring, painting, work ect.	\$1,425,007.00	Jul-05
Thorton Junior High School Fremont Unified School District	Javier Catruiita 510-979-7700	Selective removal & construction necessary for the alteration to the existing school buildings.... Seismic upgrade with roof patching, new finishes, accessibility retrofits, mold abatement & locksets replacement.	\$1,464,615.00	Jun-04
James Flood Elementary School Menlo Park Elementary School Ravenswood Unified School Dist.	Gutierrez & Associates Efren Gutierrez 510-839-3311	Renovation: Modernization to building. Wing 1 (Classroom, admin and multi-use building)	\$1,608,110.00	Aug-04
Laurel Elementary School Oakland Unified School District	Darrel Jackson 510-465-1580	Renovation & Modernization	\$1,685,519.00	Nov-08

Job Name and Owner	Contract Person and Phone #	Job Description and Year	Original Contract Price	Completion Date
Ronald McNair Middle School Gutierrez & Associates	Gutierrez & Associates Efren Gutierrez 510-839-3311	School Renovation with demolition, electrical, tile flooring plumbing, new fire alarm, concrete, painting, mechanical work, ect.	\$1,783,523.00	Jun-05
Niles Elementary School	Fremont Unified School District David Leal 510-979-7700	Selective demolition & construction necessary for the alteration to existing school buildings. Included are associated civil, architectural, structural, plumbing, mechanical and electrical work, paving, ceramic tiles, finish hardware etc.	\$2,835,411.77	May-06
Asian Art Museum LEM/DPR, a Joint Venture	Greg Johnson 415-934-1363	Skylights & Windows Restoration	\$3,754,125.00	Jun-03
Calvin Simmons Oakland Unified School District	Scott Polson 510-879-8640	Renovation & Modernization	\$3,067,000.00	Apr-09
"Series C" Modernization of Roy cloud, John Gill & Garfield Elementary School Redwood City School District	Norman Smith 650-423-2240	Renovation of 3 schools with electrical, mechanical, plumbing, framing, concrete and tile work.	\$3,940,375.00	Dec-98
First Congregational Church	Gilbert Chan 415-309-9782	Selective demolition & construction necessary for the alteration to existing buildings. Included are associated civil, architectural, structural, plumbing, mechanical and electrical work. These categories involves new addition for elevator, ect.	\$3,990,955.00	Oct-07
John Gomes Elementary School	Fremont Unified School Rick Bravo 510-299-1932	Selective demolition & Construction necessary for the alteration to existing school buildings. Included are associated civil, architectural, structural, plumbing, mechanical and electrical work. These categories of work involve voluntary seismic upgrades, site and building accessibility upgrade, staff and student toilet room renovations, interior and exterior painting, hardware replacement, plumbing work, HVAC system upgrades and EMS, roof patching and replacement, electrical service power upgrades	\$4,049,073.00	May-05

Job Name and Owner	Contract Person and Phone #	Job Description and Year	Original Contract Price	Completion Date
The Village Community Center Geneva Valley Development Center	Gilbert Chan 415-309-9782	Contract consist of a concrete Type 11 ground floor parking garage with two floors of shell / core Type V 1-hr office and community spaces above with associated with associated interior tenant improvements. Utility connections and site improvements are also included in this contract.	\$4,356,337.00	Mar-03
Brisbane School Projects Brisbane Unified School District	Jeremy Bordi 415-716-8962	Selective demolition & construction necessary for the alteration to existing school buildings. Included are associated civil, architectural, structural, plumbing, mechanical and electrical work. These categories involves new addition for elevator, provision of chairlift for ADA addition roofing work for new building extension etc.	\$4,375,638.00	Dec-05
Mission San Jose High School Fremont Unified School District	Harry Jew 510-299-1942	Renovations and upgrade	\$4,463,000.00	Mar-08
Phase II - Modernization of El camino High School South San Francisco Unified School District	Steve Diaz 650-616-3800	School renovation work of earthwork, demolition, tile paving, concrete, roofing, carpentry, doors & hardware painting and HVAC, casework, electrical, hydraulic elevator & concrete work (1999)	\$5,141,300.00	Aug-00
Galileo High School San Francisco Unified School Dist.	David Bogdanoff 415-522-6715	ADA upgrade including the replacement of knobbed locksets with levered versions, replacement of non-complying and provision of disabled-accessible toilet facilities. Addition of a new wheelchair lift, a new elevator & concrete shaft structure, and modifications to existing elevators	\$6,349,450.00	Dec-02
Terra Nova High School Jefferson Union High School District	David Bogdanoff 415-522-6715	School Renovation with new electrical, mechanical work, plumbing & concrete work.	\$6,460,183.00	Jan-99
Sam Wong Hotel Tiger Wong	Tiger Wong 415-221-3881	Construction of 71 brand new units, new underground parking garage, remodeling of 81 units and commercial retails renovation & complete seismic retrofit.	\$9,346,216.00	Sep-99
Westmoor High School Jefferson Union High School District	Frank Hartman 650-550-7900	Construction of a new addition of administration building modernization of classrooms, library, student toilets & installation of a new power service to the school	\$10,231,294.00	Aug-00
Galileo High School San Francisco Unified School District	Jeff Steinbach (415) 292-9081	Renovations & ADA Upgrade. Major Framing.	\$14,319,983.00	Apr-09

Job Name and Owner	Contract Person and Phone #	Job Description and Year	Original Contract Price	Completion Date
San Francisco Zoo	Joe Cheung 415-554-8201	(6) New Building and 385 space parking lot	\$15,171,606	Jul-02

SECTION 00420

LIST OF SUBCONTRACTORS

Designation of Subcontractors shall be as required in Section 2-1.15A of the City of San Jose Standard Specifications, July 1992.

NAME OF SUBCONTRACTOR	LOCATION OF PLACE OF BUSINESS	BRIEF DESCRIPTION OF PORTION OF WORK
Titan	Sacramento	Re-bar
Express Concrete	San Martin	Demolition
D. Lopez Concrete	San Francisco	Concrete
J.C. Pineda	ST	Steel

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SECTION 00420

LIST OF SUBCONTRACTORS

Designation of Subcontractors shall be as required in Section 2-1.15A of the City of San Jose Standard Specifications, July 1992.

NAME OF SUBCONTRACTOR	LOCATION OF PLACE OF BUSINESS	BRIEF DESCRIPTION OF PORTION OF WORK
Shadro Plastering	Novato	Plaster
Parco Construction	Milpitas	Drywall
K Z Tile	San Jose	Tile
B. T. Moncrief Co.	San Jose	Flooring

SECTION 00420

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NAME OF SUBCONTRACTOR	LOCATION OF PLACE OF BUSINESS	BRIEF DESCRIPTION OF PORTION OF WORK
Masbala Painting	San Jose	Painting
L.V.H. System	Oxnard	Rigging
Acadent Elevator	SF	Elevator
Pyramatic	Pittsburg	Spulker

SECTION 00420

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Designation of Subcontractors shall be as required in Section 2-1.15A of the City of San Jose Standard Specifications, July 1992.

NAME OF SUBCONTRACTOR	LOCATION OF PLACE OF BUSINESS	BRIEF DESCRIPTION OF PORTION OF WORK
Cal Pacific Plumbing	SF	Plumbing
Streamline Construction	SF	Electrical
Synovate	Hayward	Roofing
Corson Mechanical	Union City	HVAC

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SECTION 00420

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NAME OF SUBCONTRACTOR	LOCATION OF PLACE OF BUSINESS	BRIEF DESCRIPTION OF PORTION OF WORK

SECTION 00420

LIST OF SUBCONTRACTORS

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NAME OF SUBCONTRACTOR	LOCATION OF PLACE OF BUSINESS	BRIEF DESCRIPTION OF PORTION OF WORK

00420 - 1

Final Phase 2 GC 11.16.09.doc
11/16/2009

STATEMENT OF QUALIFICATIONS

SECTION 00420

LIST OF SUBCONTRACTORS

Designation of Subcontractors shall be as required in Section 2-1.15A of the City of San Jose Standard Specifications, July 1992.

NAME OF SUBCONTRACTOR	LOCATION OF PLACE OF BUSINESS	BRIEF DESCRIPTION OF PORTION OF WORK

SECTION 00430

NONCOLLUSION AND FINANCIAL STATEMENT AFFIDAVIT

CIVIC AUDITORIUM PHASE 2 PROJECT

JOHN WAH CHAN, being first duly sworn, deposes and says:
print name

(1) The signatory is the PRESIDENT of CAL-PACIFIC CONST., the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid; and

(2) In accordance with Title 23, United States Code, Section 112, he/she has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding connection with this contract; and

(3) As of the date of the bid submittal, Bidder has not filed for bankruptcy and has no plans to do so, and Bidder has the financial resources, capacity and stability to completely perform the contract.

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The undersigned declares under penalty of perjury that the information contained in this proposal and all accompanying documents are true and correct. Bidders are cautioned that making a false certification may subject certifier to criminal prosecution. The Agency reserves the right to investigate the statements made within this affidavit, including but not limited to, requiring a current financial statement.

Executed on JANUARY 5, 2010

CAL-PACIFIC CONSTRUCTION INC.
Legal Company Name

CORPORATION

Indicate Type of Entity: Sole Proprietorship,
Partnership (General/Limited Partners),
Corporation, Joint Venture, etc.

By: 

Title: president

City Business License No.: _____

Expiration Date: _____

State Contractor Lic. No. 830908

Classification: A, B, C-7, C10, C16, C33 & C36

Expiration Date: JANUARY 31, 2010

Federal I.D. No. 41-2180965

Address: 1009 TERRA NOVA BLVD.

PACIFICA, CA 94044

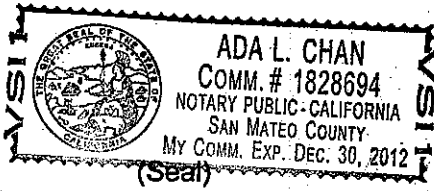
Telephone: (650) 557-1238

(Note: City Business License not required in
order to submit proposal.)

State of California

County of San Mateo

Subscribed and sworn to (or affirmed) before me on this 30th day of December, 2009,
by John Chan, proved to me on the basis of
satisfactory evidence to be the person(s) who appeared before me.



Ada Chan
SIGNATURE OF NOTARY

SECTION 00400

BIDDER'S BOND

KNOW ALL PERSONS BY THESE PRESENTS:

That we, Cal-Pacific Construction, Inc.
as PRINCIPAL, and Hartford Fire Insurance Company
a corporation duly organized under the laws of the State of Connecticut
and duly licensed to become sole surety on bonds required or
authorized by the State of California, as SURETY, are held and firmly bound unto the
Redevelopment Agency of the City of San Jose (hereinafter called the "Agency"), in the
penal sum of TEN PERCENT (10%) OF THE AMOUNT OF THE TOTAL BASE BID of
the Principal above named, submitted by the Principal to the Agency, for the work
described below; for the payment of which sum in lawful money of the United States,
well and truly to be made, we bind ourselves, our heirs, executors, administrators and
successors, jointly and severally, firmly by these presents. In no case shall the liability
of the Surety hereunder exceed the sum of
Ten Percent (10%) of the total amount bid - - - Dollars (\$).

THE CONDITION OF THIS OBLIGATION IS SUCH,

That whereas the Principal has submitted the above mentioned bid to the
Redevelopment Agency of the City of San Jose, for certain construction specifically
described as follows, for which bids are to be opened at the Redevelopment Agency of
the City of San Jose, located at 200 East Santa Clara Street, 14th Floor Tower, San
Jose California, on **January 5, 2010** for the following project:

CIVIC AUDITORIUM PHASE 2 PROJECT

NOW, THEREFORE, if the aforesaid Principal is awarded the contract and,
within the time and manner required under the specifications, after the prescribed forms
are presented to him for signature, enters into a written contract, in the prescribed
forms, in accordance with the bid, and files a Contractor's Performance Bond and a
Contractor's Labor and Material Payment Bond, and files the required insurance
policies with the Agency, all as required by the specifications and the contract or by law,
then the obligation shall be null and void; otherwise it shall be and remain in full force
and effect.

The Surety, for value received, hereby stipulates and agrees that the obligation
of said Surety and its bond shall be in no way impaired or affected by any extension of
the time within which the Agency may accept such Bid; and said surety does hereby
waive notice of any such extension.

In the event suit is brought upon this bond by the Agency and judgment is recovered, the Surety shall pay all costs incurred by the Agency in such suit, including reasonable attorney's fees to be fixed by the court.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 29th day of December, 2009.

PRINCIPAL

Cal-Pacific Construction, Inc.
Legal Company Name

By: [Signature]
Signature
John Chen
Print Name
P.O.
Title

By: _____
Signature

Print Name

Title

SURETY

Hartford Fire Insurance Company
Legal Company Name

By: [Signature]
Signature
Janet C. Rojo
Print Name
Attorney-in-Fact
Title

Address: 33 New Montgomery St.
San Francisco, CA 94105

(Affix Corporate Seals)

(Attach Acknowledgments of both Principal and Surety signatures.)

END OF SECTION 00400

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Francisco

On December 29, 2009 before me, Betty L. Tolentino, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Janet C. Rojo
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

Document Date: Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

- ☐ Individual
☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other:

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer Is Representing:

Signer's Name:

- ☐ Individual
☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other:

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer Is Representing:

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-4

P.O. BOX 2103, 690 ASYLUM AVENUE

HARTFORD, CONNECTICUT 06115

call: 888-266-3488 or fax: 860-757-5835

Agency Code: 57-554532

KNOW ALL PERSONS BY THESE PRESENTS THAT:

- ☒ Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- ☒ Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- ☒ Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- ☐ Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- ☐ Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- ☐ Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- ☐ Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- ☐ Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of unlimited:

M. Moody, Betty L. Tolentino, Janet C. Rojo, J.M. Albada, Brian F. Cooper, Susan Hecker,
Maureen O'Connell, Robert P. Wrixon, Virginia L. Black
of San Francisco, CA

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on January 22, 2004 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Scott Sadowsky

Scott Sadowsky, Assistant Secretary

M. Ross Fisher

M. Ross Fisher, Assistant Vice President

STATE OF CONNECTICUT

ss. Hartford

COUNTY OF HARTFORD

On this 3rd day of March, 2008, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

Scott E. Paseka

Scott E. Paseka
Notary Public

My Commission Expires October 31, 2012.

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of December 29, 2009

Signed and sealed at the City of Hartford.



Gary W. Stumper

Gary W. Stumper, Assistant Vice President